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*Attorneys for Defendant NVIDIA Corporation*

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

DAVID MILLETTE, and RUSLANA  
 PETRYAZHNA, individually and on behalf of  
 all others similarly situated

Plaintiffs,

v.

NVIDIA CORPORATION,

Defendant.

Case No. 5:24-cv-05157-EJD

The Honorable Edward J. Davila

**JOINT STIPULATION TO EXTEND  
 DEFENDANT'S RESPONSE DEADLINE  
 AND TO SET BRIEFING SCHEDULE**

**[LOCAL RULES 6-1(B)]**

FAC Filed:	December 16, 2024
Current Response Date:	December 30, 2024
New Response Date:	February 10, 2025
Current Opposition Date:	January 13, 2025
New Opposition Date:	March 24, 2025
Current Reply Date:	January 20, 2025
New Reply Date:	April 14, 2025
Hearing date:	May 15, 2025

**JOINT STIPULATION**

Pursuant to Local Rule 6-1 and 6-2, Plaintiffs David Millette and Ruslana Petryazhna (“Plaintiffs”) and Defendant NVIDIA Corporation (“Defendant”) (collectively, the “Parties”), by and through their respective counsel of record, enter into this Joint Stipulation with reference to the following:

**WHEREAS**, Defendant filed their Motion to Dismiss Plaintiff Millette’s Complaint on November 4, 2024. *See* ECF No. 26;

**WHEREAS**, pursuant to Defendant and Plaintiff Millette’s Joint Stipulation, *see* ECF No. 19, and order of this Court, *see* ECF No. 20, Plaintiff Millette’s Opposition to Defendant’s Motion to Dismiss was due on December 16, 2024, and Defendant’s Reply to Plaintiff Millette’s Opposition was due on January 16, 2025;

**WHEREAS**, Plaintiffs filed a First Amended Complaint (“FAC”) in this Action on December 16, 2024, adding Ruslana Petryazhna as a representative plaintiff. *See* ECF No. 28;

**WHEREAS**, Defendant’s deadline to answer, move, or otherwise respond to the FAC is December 30, 2024, pursuant to the Federal Rules of Civil Procedure Rule 15(a)(3);

**WHEREAS**, Defendant intends to file a motion to dismiss Plaintiffs’ FAC;

**WHEREAS**, the Parties met and conferred and agreed to extend Defendant’s deadline to answer, move, or otherwise respond to the FAC from December 30, 2024 to February 10, 2025;

**WHEREAS**, the Parties have also agreed to enter into a briefing and hearing schedule on Defendant’s responsive motion, subject to the Court’s approval. Specifically, Plaintiffs shall file their opposition to Defendant’s motion on March 24, 2025; Defendant shall file its reply on April 14, 2025; and the hearing shall occur on May 15, 2025.

**WHEREAS**, the Parties’ request for an extension of Defendant’s response deadline and briefing schedule is not made for the purpose of delay. Instead, these adjustments to the calendar will align with the briefing schedule of the related-parties Google LLC and YouTube Inc., and work to preserve the resources of the Parties and, more importantly, the Court.

**WHEREAS** extending the deadlines as requested above would require moving the hearing

on the Motion to Dismiss, which is currently set for February 13, 2025, *see* ECF No. 26, and the Case Management Conference, which is also currently set for February 13, 2025, *see* ECF No. 22;

**NOW, THEREFORE, BY AND THROUGH THEIR COUNSEL OF RECORD AND SUBJECT TO THE APPROVAL OF THE COURT, THE PARTIES STIPULATE AND JOINTLY REQUEST THAT** the Court grant the Parties' requested extension of Defendant's response deadline and briefing schedule on Defendant's Motion as follows:

- Defendant's deadline to file a Motion to Dismiss the First Amended Complaint be moved from December 30, 2024 to February 10, 2025;
- Plaintiffs' deadline to file an Opposition to Defendant's Motion to Dismiss will be March 24, 2025;
- Defendant's deadline to file a Reply to Plaintiffs' Opposition to Defendant's Motion to Dismiss will be April 14, 2025;
- The hearing on Defendants' Motion to Dismiss is set for May 15, 2025; and
- Discovery is stayed while Defendant's anticipated Motion to Dismiss the First Amended Complaint is pending.

**SO STIPULATED.**

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1 Dated: December 27, 2024

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3 By: /s/ Vassi Iliadis

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26 *Attorneys for Defendant*

1 Dated: December 27, 2024

2  
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**ATTESTATION**

I am the ECF User whose identification and password are being used to file the foregoing Stipulation Regarding Extension Of Time To Respond To The First Amended Complaint. Pursuant to Local Rule 5-1(i)(3) regarding signatures, I, Vassi Iliadis, attest that concurrence in the filing of this document has been obtained.

Dated: December 27, 2024

By: /s/ Vassi Iliadis  
Vassi Iliadis